Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FCC 94-249

In the Matter of	)	
	)	
Petition for Declaratory Ruling Concerning Section 312(a)(7) of the Communications Act	)	MM Docket No. 92-254

MEMORANDUM OPINION AND ORDER

Adopted: September 28, 1994 Released: November 22, 1994

By the Commission:

Background

1. The Commission has before it two applications for review and various responses to a request for public comments. The first application for review, filed by Kaye, Scholer, Fierman, Hays & Handler ("Kaye, Scholer"), appeals the action taken by the Mass Media Bureau in Letter to Messrs. Pepper and Gastfreund, 7 FCC Rcd 5599 (1992)("Gastfreund"),[1] which declined to grant the relief sought in Kaye, Scholer's petition for declaratory ruling of July 29, 1992.[2] In that action, the Mass

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[1] Both Gillett Communications of Atlanta, Inc. ("Gillett") and Kaye, Scholer made separate requests for the Declaratory Ruling now under review. Gillett did not file an application for review, but did file comments in this proceeding.

[2] In its petition, Kaye, Scholer had requested a declaratory ruling from the Commission with respect to the following:

> whether a broadcaster may, consistent with the "reasonable access" provision of Section 312(a)(7) of the Communications Act and the "no censorship" provision of Section 315(a) of the Communications Act, "channel" into those hours when there is no reasonable risk of children being in the audience, candidate "uses" that present graphic depictions of dead or aborted and bloodied fetuses or fetal tissue.

Kaye, Scholer filed its Application for Review on September 2,

Media Bureau determined that the specific political advertisement at issue, which featured the graphic depiction of dead or aborted and bloodied fetuses or fetal tissue,[3] was not indecent under 18 U.S.C. Section 1464, and, as a result, the licensee could not channel the advertisement to the indecency "safe harbor"[4] without violating Sections 312(a)(7) and 315 of the Communications Act. (47 U.S.C. Sections 312(a)(7) and 315). Kaye, Scholer seeks review on the grounds that the Bureau's decision was not consistent with established Commission policy and precedent governing the reasonable access provisions of Section 312(a)(7) and the "no censorship" clause of Section 315(a), and that the Bureau's interpretation of Section 312(a)(7) violates the first amendment rights of broadcasters by unduly circumscribing their editorial discretion.

2. Daniel Becker filed the second application for review under consideration on December 3, 1992. He appeals an October 30, 1992, Mass Media Bureau decision which declined to rule on whether a political advertisement placed by Daniel Becker on WAGA-TV, Atlanta, Georgia, was indecent under Section 1464. The Mass Media Bureau noted that the advertisement had not yet aired, and explained that the Commission and the Bureau have declined to issue advance indecency rulings to avoid imposing prior restraints on protected speech. Letter to Daniel Becker, 7 FCC Rcd 7282 (1992). In that letter, the Bureau also stated, however, that until such time as the Commission provides definitive guidance in the area, it would not be unreasonable for a licensee to rely on a prior informal staff opinion in this area, set forth in the Letter from Chairman Mark Fowler to Hon. Thomas A. Luken, dated January 19, 1984, and conclude that Section 312(a)(7) does not require it to air, during hours outside the safe harbor, material that it reasonably and in good

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1992.

[3] These political advertisements will be referred to herein as "political advertisements containing graphic abortion imagery."

[4] The safe harbor is that period of the day during which indecent material can be aired without violating the prohibition in 18 U.S.C. Section 1464 on indecent broadcasting. Pursuant to a Congressional directive, the Commission adopted rules redefining the safe harbor as 12:00 a.m. (midnight) to 6:00 a.m., but these rules have been stayed by the courts and are now on appeal. Action for Children's TV v. FCC, 11 F.3d 170 (D.C. Cir. 1993), vacated and reh'g granted en banc, No. 93-1092, 1994 WL 50415 (D.C. Cir. Feb. 16, 1994). The Commission currently recognizes an 8:00 p.m. to 6:00 a.m. safe-harbor period, as it did following the D.C. Circuit's decision in Action for Children's Television v. FCC, 852 F.2d 1332 (D.C. Cir. 1988).

faith believes is indecent. In his application for review, Becker argues that the Commission erred in declining to render an indecency ruling in advance of the broadcast because such inaction denies a federal candidate the right to reasonable access.

3. To receive the benefit of the views of interested parties on all the issues related to political advertisements featuring graphic abortion imagery, the Commission requested public comment on the issues raised by the rulings.[5] Specifically, we sought comment on all issues concerning what, if any, right or obligation a broadcast licensee has to channel, to times when children are unlikely to be in the audience, political advertisements that it reasonably and in good faith believes are indecent. We also sought comment as to whether broadcasters have any right to channel political advertisements that, while not indecent, may be otherwise harmful to children. We invited commenters to address the proper scope of any such right to channel political advertisements that are not indecent but may be harmful to children and the standard by which the Commission should evaluate the reasonableness of the broadcasters' judgments in exercising that right.

Comments

4. Seventeen formal comments and five formal reply comments were filed in response to our request. Several of them addressed the question of the channelling of political advertisements that the licensee believes are indecent. For example, the American Civil Liberties Union ("ACLU"), Mark Johansen, and the National Right to Life Committee, Inc. ("NRLC") argue that political advertisements containing graphic abortion imagery are not indecent. Johansen contends that the determination of whether speech is indecent must be made by the Commission, not the broadcaster. He argues that such determinations prior to an advertisement's airing would not constitute an impermissible prior restraint. Several commenters express concern over the effect that denominating these advertisements as indecent would have on indecency enforcement in the non-political as well as the political arena. For example, the ACLU and Action for Children's Television, et al., ("ACT") argue that, in addition to undermining the goals of the Communications Act in fostering expanded political debate, expansion of the indecency definition to include material such as that described in the Gastfreund ruling would constitute a serious constitutional infringement by interfering with First Amendment protection of news and entertainment programming. ACT maintains that such an expanded definition of indecency would

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[5] Request for Comments, 7 FCC Rcd 7297 (1992).

result in greater uncertainty regarding what material may be considered indecent.

5. Several commenters were also concerned about permitting licensees to channel the advertisements as "harmful to minors" even if not indecent. In comments that were generally representative of this point of view, Media Access Project[6] ("MAP") argues that the no-censorship provision of Section 315 does not permit any censorship by a broadcaster based upon the content of the advertisement, and that reading Section 312(a)(7) as permitting content-based decisions would nullify Section 315. The National Right to Life Committee states that voters have a right to uncensored information concerning matters of political debate and that political speech is entitled to "super-protected status" under the First Amendment. Consequently, NRLC asserts, content-based restrictions must be justified by a truly compelling interest and be narrowly tailored to affect only that interest. The ACLU contends that the "harmful to minors" rationale is not sufficient to justify a change in the Act's reasonable access and no-censorship provisions, and would give broadcasters a license to discriminate on the basis of political ideas.

6. Proponents of channelling, on the other hand, including Spokane Television, Inc. ("Spokane"), Louisiana Television Broadcasting Corp. ("LTBC"), Gillett, Mark Van Loucks, Turner Broadcasting System, Inc., and the National Association of Broadcasters generally argue that broadcasters should be given the right to make good faith decisions regarding what is indecent or may otherwise be harmful to their audiences, and to reject or channel such advertisements to time periods when children are less likely to be in the audience.[7] Gillett argues that the Commission must balance the goal of an informed electorate with its obligation to protect children from indecent speech. Spokane contends that Congress never intended Section 315 to be used as a device to thwart licensees' obligations to comply with the other provisions of the Communications Act. LTBC notes that there is no general right of access by individuals to television stations, and that narrowly tailored restrictions which serve important governmental interests are allowed. Van Loucks and Gillett argue that broadcasters should be permitted to reject entirely advertisements that contain shocking or offensive material that the station would otherwise reject as not in the public interest.

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[6] Media Access Project filed comments jointly with the Washington Area Citizens Coalition Interested in Viewers Constitutional Rights. These parties will be referred to collectively as "MAP."

[7] Gillett would include under this discretion political spots that are racist, bigoted, or otherwise shocking.

These commenters generally agree that warnings issued prior to the airing of advertisements are insufficient to protect children.[8]

7. Regarding the scope of review to be used in evaluating a broadcaster's decision to channel an advertisement, Spokane argues that FCC review should be limited to whether the broadcaster acted reasonably. The Louisiana Television Broadcasting Corporation proposes that FCC review be limited to abuse of discretion, while Gillett believes that the burden should be on the licensee to demonstrate that the material was indecent or otherwise did not meet the station's standards.

8. In addition to the comments referred to above and in the Appendix, the Commission received approximately 1,000 letters concerning the airing of political advertisements containing graphic abortion imagery. These letters have been associated with this proceeding although some were filed after the close of the comment period. The vast majority of these letters strongly oppose the airing of political advertisements containing graphic abortion imagery at times when children are likely to be in the audience.

Discussion

9. We affirm the Mass Media Bureau's decision that the political advertisement containing graphic abortion imagery considered in the Gastfreund ruling is not "indecent" under Section 1464 as we have defined the term. However, we conclude that Section 312(a)(7), which affords federal candidates the right to purchase reasonable amounts of time, does not preclude a licensee from channelling such advertisements to times of the day when children are less likely to be in the viewing audience.[9]

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[8] Planned Parenthood Federation of America, et al., request that the Commission allow broadcast stations to refuse to air advertisements which provide private information concerning persons unrelated to a political campaign who perform family planning or abortion services, because such broadcasts are not on behalf of a candidacy, are not consistent with Congress' intent in enacting Section 312(a)(7) and incite conduct which is inconsistent with federal and state law. That question is beyond the scope of our inquiry and is not addressed herein.

[9] Section 312(a)(7) of the Act states:

> (a) The Commission may revoke any station license or construction permit --
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> * * *
>
> (7) for willful or repeated failure to allow

Nor does such an approach violate the "no-censorship" mandate of Section 315(a) of the Communications Act.[10]

Indecency

10. The graphic depictions of aborted fetuses considered in the Gastfreund ruling are not indecent. Section 1464 of the criminal code prohibits the broadcast of "any obscene, indecent, or profane language by means of radio communications." 18 U.S.C. Section 1464. The Commission has defined the term "indecent" to mean "language or material that, in context, depicts or describes, in terms patently offensive as measured by contemporary community standards for the broadcast medium, sexual or excretory activities or organs."[11]

11. While the record in this proceeding suggests that many viewers find the images of aborted fetuses deeply disturbing and patently offensive, that is not the test for indecency. Material may be shocking or outrageous, but it is not indecent within our definition unless it depicts or describes "sexual or excretory activity or organs." However disturbing, aborted fetuses or fetal tissue, alone, cannot be considered "excretory by-products" within the meaning of the indecency definition. The Bureau noted in its initial ruling that "[n]either the expulsion of fetal tissue nor fetuses themselves constitutes 'excrement.'" Id. We agree. Although some parties have suggested that the Commission's reliance upon the definition of "excrement" is a "semantic word game," that contention is simply unpersuasive, as is the contention that the term "excretory function," as set out in Pacifica, is broad enough to encompass the products of

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> reasonable access to or to permit purchase of reasonable amounts of time for the use of a broadcasting station by a legally qualified candidate for Federal elective office on behalf of his candidacy.

[10] Section 315 provides, in pertinent part:

> (a) If any licensee shall permit any person who is a legally qualified candidate for any public office to use a broadcasting station, he shall afford equal opportunities to all other such candidates for that office in the use of such broadcasting station: Provided, That such licensee shall have no power of censorship over the material broadcast under the provision of this section . . . .

[11] Infinity Broadcasting Corporation of Pennsylvania, 2 FCC Rcd 2705 (1987), aff'd in relevant part, Action for Children's Television v. FCC, 852 F.2d 1332 (D.C. Cir. 1988).

abortion. We agree with the Bureau's conclusion that "excretory functions" should be equated to scatological references. To the extent that petitioners suggest we should expand our definition of indecency, we choose not to do so.[12] To expand the term "excretory function" or the concept of indecency to include the secretion of any bodily fluid or material would deprive the definition of any meaningful limit. Such an expanded definition arguably would encompass televised scenes of a character sweating, blowing his nose, or dressing a wound, and would be far afield from the Commission's or the Court's concerns in Pacifica. See, e.g., Comments of the American Civil Liberties Union at 5-6.[13]

12. Even if the material at issue in the Gastfreund ruling could be considered indecent under some meaning of that term, the images cannot be divorced from the context of a political campaign. As we have previously stressed, to determine whether particular material is indecent, we look "first and foremost to the context in which language was presented - a review that encompasses a host of variables, including, among other things, an assessment of whether the language was used in a 'shocking' or 'vulgar' fashion or was without merit." Letter to Peter Branton, 6 FCC Rcd 610 (1991), aff'd sub nom. Branton v. FCC, 993 F.2d 906 (1993), cert. denied, 114 S. Ct. 1610 (1994); Infinity Broadcasting Corporation of Pennsylvania, 2 FCC Rcd 2705 (1987), aff'd in relevant part, Action for Children's Television v. FCC, 852 F.2d 1332 (D.C. Cir. 1988), King Broadcasting Co., 5 FCC Rcd 2971 (1990). The Commission's analysis of context has always encompassed more than just the four corners of the material being reviewed. The advertisement in Gastfreund that prompted this inquiry was presented in the context of a political campaign and it is beyond dispute that the issue of abortion is an important question in American politics. Accordingly, the context in which the advertisement at issue was presented provides further support for our conclusion that it was not indecent. Cf. Letter to

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[12] We remain of this view notwithstanding that a district court in Georgia concluded that a videotape depicting "the actual surgical procedure for abortion" was indecent. Gillett Communications v. Becker, 807 F. Supp. 757, 763 (N.D. Ga. 1992), appeal dismissed mem., 5 F.3d 1500 (11th Cir. 1993). In our view, however, the district court erroneously applied the indecency standard in that case.

[13] Nor does abortion fall within Pacifica's definition of "sexual activity." It is not reasonable, for example, to conclude that the advertisements in question are indecent on the theory that "abortions and fetuses are related to sex and reproduction." Mangan, Aborting the Indecency Standard in Political Programming, 1 Communications Law CONSPECTUS 73, 83(1993). This would suggest that any byproduct of sex - arguably all of life - is indecent.

William T. Carroll, Esq. (Christian Action Network), FCC Ref. No. 8210-AJZ, 920504 (MMB, June 12, 1992).

Channelling

13. But this is not the end of our inquiry. Licensees have asked us to confirm that even if political advertisements are not indecent, the Act does not prevent licensees from channelling such advertisements that show aborted fetuses or similar depictions to times when unsupervised children are less likely to be in the audience. In the Request for Comments, we thus asked "whether broadcasters have any right to channel material that, while not indecent, may otherwise be harmful to children." 7 FCC Rcd at 7297. We conclude that a licensee's exercise of such discretion is compatible with the obligation to permit federal candidates to purchase reasonable amounts of time pursuant to Section 312(a)(7) and the prohibition of censorship in Section 315(a).

14. While this is a matter of first impression for the Commission, we note that our prior treatment of Section 312(a)(7) supports this result. In particular, the Commission has made clear that Section 312(a)(7) does not entitle a federal candidate "to a particular placement of his or her political announcement on a station's broadcast schedule." Commission Policy in Enforcing Section 312(a)(7) of the Communications Act, 68 F.C.C.2d 1079, 1091 (1978). Further, although the Commission's general policy is to require that federal candidates must have access to "a wide array of dayparts and programs," we have long recognized that "there may be circumstances when a licensee might reasonably refuse broadcast time to political candidates during certain parts of the broadcast day."[14]

15. We already have concluded that Section 312(a)(7) does not preclude licensees from considering the potential impact of political advertisements on their audience in making access decisions. We have a longstanding policy, for example, of allowing broadcasters to deny access by political advertisers to newscasts. See, e.g., Law of Political Broadcasting and Cablecasting: A Political Primer, 100 F.C.C.2d 1476, 1525 (1984). We recently reaffirmed this policy on the grounds that broadcaster discretion "serve[s] the public interest by

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[14] Codification of the Commission's Political Programming Policies, 7 FCC Rcd 678, 682 (1991), quoting Commission Policy in Enforcing Section 312(a)(7) of the Communications Act, 68 F.C.C.2d 1079, 1091 (1978).

preserving the journalistic integrity . . . in this vital area of programming." Codification of the Commission's Political Programming Policies, 7 FCC Rcd 678, 682 (1991), reconsidered in part, 7 FCC Rcd 4611 (1992). Our experience has been that some broadcasters permit political advertisements during newscasts and others do not. The decision is left to the licensee, based on its news and editorial policies.

16. Likewise, we believe that nothing in Section 312(a)(7) precludes a broadcaster's exercise of some discretion with respect to placement of political advertisements so as to protect children. There is evidence in this record indicating that the graphic political advertisements at issue can be psychologically damaging to children. See Comments of Mark Van Loucks at Exhibit C; see also Gillett Communications of Atlanta, Inc. v. Becker, 807 F. Supp. at 757. The public interest standard of the Act clearly contemplates that appropriate measures may be taken to protect the well-being of children, as reflected in the provisions relating to broadcast indecency, as well as policies regarding commercials directed at children and the obligation of broadcasters to air instructional and informational programming for children.[15] Accordingly, we are unwilling to infer that Congress, in affording federal candidates a limited statutory right to purchase reasonable amounts of broadcast time, intended to strip licensees of all discretion to consider the impact of political advertisements featuring graphic depictions of abortions on children in their audience.

17. In reaching this decision, we are also mindful that the statutory scheme of the Act generally envisions that "[o]nly when the interests of the public are found to outweigh the private journalistic interests of broadcasters will government power be asserted within the framework of the Act." CBS, Inc. v. DNC, 412 U.S. at 110. Therefore, to the extent broadcasters exercise their discretion in a manner that comports with Section 312(a)(7), Section 315(a), and the public interest standard of the Act, we believe their actions are permissible.

18. In considering broadcaster compliance with Section 312(a)(7), and as reflected in our longstanding policies implementing that Section, licensees as a general matter are not permitted to impose blanket bans on federal candidate access to the types, lengths and classes of time which they sell to commercial advertisers. 1978 Policy Statement, 68 F.C.C. 2d at 1090. Consistent with that policy, licensees must give reasonable and good faith attention to access requests on an

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[15] See Children's Television Act of 1990, Pub. L. No. 101-437, (codified at 47 U.S.C. 303a (Supp. 1992)).

individualized basis. Therefore, any decision to channel must be based on the reasonable, good faith judgment of the broadcaster that political advertisements containing graphic abortion imagery should not be aired when there is a reasonable risk that large numbers of children may be in the audience. Such a decision necessarily requires an individualized assessment as approved in CBS, Inc. v. FCC, 453 U.S. 367, 387 (1981). Further, in making that assessment, licensees must carefully balance federal candidates' specific time requests against factors relating to the protection of children in the audience.

19. We emphasize that we do not require -- nor do we encourage -- licensees to channel political advertisements containing graphic abortion imagery. Rather, we leave that decision to the reasonable, good faith judgment of broadcasters. We conclude only that licensees may consider any such advertisement's impact on children in making access decisions under Section 312(a)(7).

20. The discretion of a licensee that chooses to channel a political advertisement is also limited in light of Section 312(a)(7)'s purpose to promote political expression. Section 312(a)(7) makes a significant contribution to freedom of expression. See CBS, Inc. v. FCC, 453 U.S. at 396. If licensees do channel, therefore, they are expected to provide access to times with as broad an audience potential as is consistent with the federal candidate's right to reasonable access.[16] This is consistent with our general policy under Section 312(a)(7) that licensees should afford access to federal candidates in prime time, when access to voters is greatest. 68 F.C.C. 2d at 1090.

21. Finally, a broadcaster's decision to channel an advertisement "may not be invoked as [a] pretext[] for denying access." CBS, Inc. v. FCC, 453 U.S. at 387. A licensee who chooses to channel political advertisements containing graphic abortion imagery cannot do so out of disagreement with the candidate's political position. The licensee's discretion should relate to the nature of the graphic imagery in question and not

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[16] In his application for review, Daniel Becker contends that our policy of refusing to make indecency rulings in advance of broadcast will allow the channelling of ads to time periods with minimal viewership, thereby violating Section 312(a)(7). As indicated above, licensees may not engage in channelling that would deny a federal candidate's right to reasonable access. We therefore find no reason to change our policy of declining to make advance rulings considering indecent programming.

to any political position the candidate espouses.[17]

22. This policy, we believe, fully complies with the "rule of reason" embodied in Section 312(a)(7) and properly balances relevant public interest considerations, including the First Amendment values inherent in the Act. We note in this regard that candidates have no First Amendment right of access to broadcast stations for the purpose of engaging in political speech. See Kennedy for President Committee v. FCC, 636 F.2d 417, 431 (D.C. Cir. 1980). Rather, in broadcasting, it is the First Amendment right of viewers and listeners that is paramount. Id. The public's right to have access to political speech is not impeded by this policy. As noted, licensees who choose to channel political advertisements containing graphic abortion imagery they believe are harmful to children must air those advertisements in time periods in which the audience potential is broad enough to meet their reasonable access obligations. Nor may licensees discriminate among candidates based on a candidate's position on the issues.

23. At the same time, by leaving undisturbed a reasonable measure of private, journalistic discretion, licensees are able to consider and balance candidate needs in relation to the special needs of children in their viewing audience. So long as the limited, statutory right of reasonable access for federal candidates is ensured under this policy -- and we believe it is -- we see no reason based on constitutional or other principles to depart from the Act's overriding design which relies in the first instance on the good faith discretion of private broadcast licensees. That fundamental policy of the Act to rely on broadcasters to balance the public's sometimes competing informational needs and interests also significantly furthers First Amendment principles by avoiding government involvement in access issues. See CBS, Inc. v. DNC, 412 U.S. at 126-27; Kennedy for President Committee v. FCC, 636 F.2d at 432.

24. Finally, broadcasters' limited exercise of discretion in this area would not, as some commenters suggest, violate the no-censorship provision of Section 315(a). That section, which governs "uses" of broadcast stations by political candidates, states that licensees "shall have no power of censorship over the material broadcast under [this] provision." 47 U.S.C. Section

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[17] See, e.g., Henry Geller, 95 F.C.C.2d at 1241-42. In the context of news programming exemptions under Section 315(a), broadcasters' choices are evaluated on their news judgment and their lack of intent to engage in favoritism. With respect to graphic abortion advertisements, we would examine the licensee's good faith belief that the material in question could harm the children that may be in the audience as well as any evidence of favoritism.

315(a). Since 1948, the Commission consistently has held that this requirement bars licensees from removing potentially defamatory statements from political spots. Farmers Educational and Cooperative Union of America, North Dakota Division v. WDAY, 360 U.S. 525, 528 (1959)(censorship connotes examination of thought in order to prevent publication or to alter, affect, or control the subject matter of the broadcast). In upholding the statute, the Supreme Court pointed out that "permitting a broadcasting station to censor allegedly libelous remarks would undermine the basic purpose for which Section 315 was passed -- full and unrestricted discussion of political issues by legally qualified candidates." Id. at 29. We fully agree that permitting broadcasters to alter the content of political ads to avoid libel suits would violate the mandate of Section 315. But that is not the situation presented by this Inquiry. We are not granting licensees the ability to delete political statements. We are simply recognizing that a licensee may, consistent with its public interest obligations, channel political advertisements containing graphic abortion imagery to times when, although consistent with its obligation to provide reasonable access, the likelihood that children will be in the audience is diminished. This added measure of licensee discretion does not constitute "censorship" as that term is used in the Communications Act.[18]

Conclusion

25. Based on the foregoing, and pursuant to Section 1.115(g) of the Commission's rules, the Bureau's ruling in Letters to Messrs. Pepper and Gastfreund IS MODIFIED for the reasons stated above; Kaye, Scholer's Application for Review IS GRANTED to the extent set forth herein and denied in all other respects; and Daniel Becker's Application for Review IS DENIED.[19]

FEDERAL COMMUNICATIONS COMMISSION

William F. Caton
Acting Secretary

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[18] See also FCC v. Pacifica Foundation, 438 U.S. 726, 735 and n.9 (1978)(prohibition against censorship in Section 326 denies the Commission "any power to edit proposed broadcasts in advance and to excise material considered inappropriate . . . .")

[19] On March 26, 1993, Gillett filed a Request to Reopen the Record on the above proceeding. Because of this action, however, Gillett's Request is now moot.

APPENDIX

FORMAL COMMENTS

American Civil Liberties Union

Daniel Becker

Gillett Communications of Atlanta, Inc.

Joint Comments of the Action for Children's Television Association of Independent Television Stations, Capital Cities/ABC, Inc., Fox Television Stations, Inc., Greater Media, Inc., Infinity Broadcasting Corporation, National Association of Broadcasters, National Broadcasting Company, National Public Radio, People for the American Way, Post-Newsweek Stations, Inc., Public Broadcasting Service, Radio-Television News Directors Association, The Reporters Committee for Freedom of the Press, and Society of Professional Journalists

KXAN-TV

Larson For Life U.S. Senate Committee

Louisiana Television Broadcasting Corp.

Mark Johansen

Mark Van Loucks

Media Access Project and the Washington Area Citizens Coalition Interest in Viewers' Constitutional Rights

Michael Bailey

National Association of Broadcasters

National Right to Life Committee, Inc.

Planned Parenthood Federation of America, Inc., Planned Parenthood of the Rocky Mountains, and Planned Parenthood of Greater Iowa

Senator Byron L. Dorgan

Spokane Television, Inc.

Turner Broadcasting System, Inc.

REPLY COMMENTS

Daniel Becker

Gillett Communications of Atlanta, Inc

Louisiana Television Broadcasting Corp.

Media Access Project and the Washington Area Citizens Coalition Interested in Viewers' Constitutional Rights

Mark Van Loucks

In addition, the Commission received over 1000 additional letters and other pieces of correspondence relating to the airing of graphic abortion advertisements.